

**AMENDMENTS TO THE DRAWINGS:**

The attached REPLACEMENT SHEET includes changes to Fig. 8. Specifically, Fig. 8 has been amended to add the notations "Fig. 8A" and "Fig. 8B" and delete the notation "Fig. 8" to accurately reflect the description as provided in pages 38-39 of the specification.

Attachments:        One (1) REPLACEMENT SHEET depicting Figs. 8A and 8B.

### **REMARKS**

Applicants have amended the specification and the drawings. Claims 1-32 remain pending, with claims 1, 8, 15, and 17-32 being amended.

#### **Regarding the Office Action:**

In the Office Action mailed October 24, 2005, the Examiner rejected claims 1, 2, 5, 8, 15-18, 21, 24, 25, 28, and 31-32 under 35 U.S.C. § 103(a) as being unpatentable over *Hazard* (U.S. Patent No. 6,658,566) in view of *Harada et al.* (U.S. Patent No. 6,850,914) and further in view of *Dan et al.* (U.S. Patent No. (5,825,877)); rejected claims 3, 4, 6, 10, 11, 13, 19, 20, 22, 26, 27, and 29 under 35 U.S.C. § 103(a) as being unpatentable over *Hazard* in view of *Harada et al.* further in view of *Dan et al.* and *Dilkie et al.* (U.S. Patent No. 6,341,164); and rejected claims 7, 14, 23, and 30 under 35 U.S.C. § 103(a) as being unpatentable over *Hazard* in view of *Harada et al.* further in view of *Dan et al.* and "Applied Cryptography" by Schneier ("*Schneier*").

#### **Amendments to the Drawings:**

Applicants have amended the drawings to correspond with the description provided in the specification. Specifically, Applicants have amended Fig. 8 to add the notations of "Fig. 8A" and "Fig. 8B" and delete the notation of "Fig. 8." Applicants respectfully request entry of the drawing amendments.

#### **Amendments to the Specification:**

Applicants have amended the fourth paragraph on page 18 to accurately describe the amended drawing. Applicants have also amended the first full paragraph on page 64 to correct a typographical error. Applicants respectfully request entry of the specification amendments.

**Rejection of claims 1, 2, 5, 8, 15-18, 21, 24, 25, 28, and 31-32 under 35 U.S.C.**

**§ 103(a):**

Applicants respectfully traverse the rejection of claims 1, 2, 5, 8, 15-18, 21, 24, 25, 28, and 31-32 under 35 U.S.C. § 103(a) as being unpatentable over *Hazard* in view of *Harada et al.* further in view of *Dan et al.*

In order to establish a *prima facie* case of obviousness, three basic criteria must be met. First, the prior art reference (or references when combined) must teach or suggest all the claimed elements. Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or to combine reference teachings. Third, there must be a reasonable expectation of success. See M.P.E.P. § 2143.

A *prima facie* case of obviousness has not been established because, among other things, *Hazard*, *Harada et al.*, and *Dan et al.*, taken alone or in combination do not teach or suggest each and every element of independent claims 1, 8, 15, 17, 24, 31, and 32. In particular, independent claim 1 recites:

Independent claim 1 recites, *inter alia*:

An information recording device for executing processing which stores data to a memory having a data storage area consisting of a plurality of blocks, each of the blocks consists of M sectors from a first sector to a M-th sector with each sector having a predetermined data capacity, where M represents a natural number, said information recording device comprising:

a cryptosystem unit that selectively uses a different encryption key for each sector from the first sector to the M-th sector to execute encryption processing and the cryptosystem unit executes encryption processing on data to be stored in each of the sectors;

wherein the data includes a revocation list having revocation information regarding revoked media or content and a block permission table for accessing a permission table that describes memory access control information; and an integrity checking unit for checking the integrity of the revocation list and the block permission table.

Although of different scope, independent claims 8, 15, 17, 24, 31, and 32 include recitations similar to those of claim 1.

First, contrary to the Examiner's conclusion, *Hazard* fails to teach or suggest a "cryptosystem unity that selectively uses a different encryption key for each sector... ." By contrast, *Hazard* discloses a method wherein the same protection key CPi may be used to encrypt different sensitive information ISj stored within the security module. (See, e.g., *Hazard*, col. 5, lines 23-25 and col. 6, lines 38-43.) This method, as disclosed by Applicants, results in the possibility that the information may be more easily attacked, since the attacker has to deal with less encryption. (See *Specification*, page 4.) As a result, Applicants' invention, as reflected in the claim language, specifies that encryption is performed by using "a different encryption key for each sector."

Second, contrary to the Examiner's conclusion, *Hazard* fails to disclose a "block permission table for accessing a permission table that describes memory access control information," as recited in independent claims 1, 8, 15, 17, 24, 31, and 32. The Examiner has relied on Figs. 2 and 3 of *Hazard* for this teaching. (See *Office Action*, page 3.) However, such an interpretation of *Hazard* is incorrect. In particular, the "Key Number," "Key Store Value," and "Number of Associated Key" simply refer to the particular protection key being used and the update scripts related to each particular

protection key. They do not “describe[s] memory access control information” as set forth in independent claims 1, 8, 15, 17, 24, 31, and 32.

Third, presently amended independent claims 1, 8, 15, 17, 24, 31, and 32 recite “a revocation list having revocation information regarding revoked media or content.” As admitted by the Examiner, *Hazard* does not teach or suggest a revocation list. (See *Office Action*, page 4.) To address this deficiency, the Examiner relies on *Harada et al.* However, although *Harada et al.* discloses a revocation list, that revocation list is limited to information pertaining to the type of electronic appliance that may allowed to use a particular encrypted portable medium PM 13. (See, e.g., *Harada et al.*, col. 5, lines 33-38; col. 9, lines 51-59; and col. 12, lines 60-65.) In contrast, Applicants’ invention is directed towards a revocation list “having revocation information regarding revoked media or content.” That is, Applicant’s claimed invention does not limit a device’s use of information on a media based on the device itself, but instead on the type of the media or the information content of the media.

Additionally, as admitted by the Examiner, *Hazard* does not teach or suggest an “integrity checking unity for checking the integrity of the ... block permission table.” (See *Office Action*, page 4.) To address this deficiency, the Examiner relies on *Dan et al.* *Dan et al.* is directed towards the authentication of network distributed software and, more particularly, to the use of an access control list (ACL) that designates how much system resource a particularly authenticated software may use. (See *Dan et al.*, col. 1, lines 40-48. *Dan et al.* further discloses wherein a user may verify the integrity the ACL. (See *Dan et al.*, col. 1, lines 56-59.) From this, the Examiner concludes:

[t]herefore, it would have been obvious to a person in the art at the time the invention was made to modify the

method disclosed in *Hazard et al.* to have an integrity unit in order to ensure the integrity of the block permission table. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, would have been motivated to do so since it is suggested by *Dan et al.* in col. 1, lines 55-59. OA at p. 4.

Applicants respectfully disagree with the Examiner's conclusion. Nowhere in the Examiner's cited passages, or in the remainder of *Dan et al.*, is there a teaching of providing an integrity checking unit to check the integrity of a "block permission table." Second, one cannot equate the ACL of *Dan et al.* with Applicants "block permission table," since the claim language calls for the "block permission table" to "access[ing] a permission table that describes memory access control information."

Thus, *Hazard*, *Harada et al.*, and *Dan et al.* fail to teach or suggest at least the above-quoted elements of independent claim 1 (and similar elements recited in independent claims 8, 15, 17, 24, 31, and 32). For at least this reason, the cited prior art fails to establish a *prima facie* case of obviousness regarding independent claims 1, 8, 15, 17, 24, 31, and 32. Accordingly, Applicants respectfully request withdrawal of the rejection of independent claims 1, 8, 15, 17, 24, 31, and 32 under 35 U.S.C. 103(a) and the timely allowance of the claims.

**Rejection of claims 3, 4, 6, 10, 11, 13, 19, 20, 22, 26, 27, and 29 under 35**

**U.S.C. § 103(a):**

Applicants respectfully traverse the rejection of claims 3, 4, 6, 10, 11, 13, 19, 20, 22, 26, 27, and 29 under 35 U.S.C. § 103(a) as being unpatentable over *Hazard* in view of *Harada et al.* further in view of *Dan et al.* and *Dilkie et al.* Applicants disagree with

the Examiner's arguments and conclusions. A *prima facie* case of obviousness has not been established.

As demonstrated above, *Hazard* in view of *Harada et al.* further in view of *Dan et al.* fail to teach or suggest all the elements of independent claims 1, 8, 15, 17, 24, 31, and 32. Further, the Examiner does not rely upon, nor does *Dilkie et al.* disclose the deficiencies of *Hazard*, *Harada et al.*, and *Dan et al.* discussed above. Therefore, the Examiner's application of *Dilkie et al.* as an additional reference does not render obvious the recitations of Applicants' dependent claims 3, 4, 6, 10, 11, 13, 19, 20, 22, 26, 27, and 29. Accordingly, dependent claims 3, 4, 6, 10, 11, 13, 19, 20, 22, 26, 27, and 29 are allowable at least by virtue of their respective dependence from allowable independent claims 1, 8, 15, 17, 24, 31, and 32.

**Rejection of claims 7, 14, 23, and 30 under 35 U.S.C. § 103(a):**

Applicants respectfully traverse the rejection of claims 7, 14, 23, and 30 under 35. U.S.C. § 103(a) as being unpatentable over *Hazard* in view of *Harada et al.* further in view of *Dan et al.* and *Schneier*. Applicants disagree with the Examiner's arguments and conclusions. A *prima facie* case of obviousness has not been established.

As demonstrated above, *Hazard* in view of *Harada et al.* further in view of *Dan et al.* fail to teach or suggest all the elements of independent claims 1, 8, 15, 17, 24, 31, and 32. Further, the Examiner does not rely upon, nor does *Schneier* disclose the deficiencies of *Hazard*, *Harada et al.*, and *Dan et al.* discussed above. Therefore, the Examiner's application of *Schneier* as an additional reference does not render obvious the recitations of Applicants' dependent claims 7, 14, 23, and 30. Accordingly,

dependent claims 7, 14, 23, and 30 are allowable at least by virtue of their respective dependence from allowable independent claims 1, 8, 15, 17, 24, 31, and 32.

**Conclusion**


In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based on the arguments presented in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The pending claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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